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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/829,396	04/22/2004	Seong-ho Kwon	1793.1232	5402
49455 7590 11/25/2009 STEIN MCEWEN, LLP 1400 EYE STREET, NW SUITE 300 WASHINGTON, DC 20005				
EXAMINER KAWSAR, ABDULLAH AL				
ART UNIT 2195		PAPER NUMBER		
NOTIFICATION DATE 11/25/2009		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

usptomail@smiplaw.com

### Office Action Summary

**Application No.**

10/829,396

**Applicant(s)**

KWON, SEONG-HO

**Examiner**

ABDULLAH AL KAWSAR

**Art Unit**

2195

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 July 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 and 17-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 17-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB-08)  
Paper No(s)/Mail Date 7/22/2009
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-15, 17-22 are pending.

***Information Disclosure Statement***

2. The information disclosure statement filed 7/22/2009 reference “AM” fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because the reference is not in English for the examiner to understand the content of the reference. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. The following terms lack antecedent basis:
  - a. Claim 14, Line 1 – the priorities --

*Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(c) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-15, 17-22 are rejected under 35 U.S.C. 102(c) as being anticipated by Nelson et al. (Nelson) US Patent No. 7,170,422.

5. As per claim 1, Nelson teaches the invention as claimed including a user interface method of a hybrid device having an input unit and a plurality of task-handlers controlled by the operations of a function key of the input device (col 3, lines 43-59; col 5, lines 33-37), the user interface method comprising:

receiving information to change priorities of the task-handlers, using the hybrid device (col 6, lines 1-19; col 5, lines 33-67);

changing the priorities of the task-handlers in the hybrid device, based on the received information (col 7, lines 13-47); and

storing information regarding the changed priorities in the hybrid device, according to a predetermined application type (col 5, lines 56-67),

wherein the priorities of the task-handlers of the hybrid device relate to an order in which the task handlers are individually and selectively controlled, by the operation of the function key (col 7, lines 34-47).

6. As per claim 2, Nelson teaches wherein the receiving of the information to change the priorities of the task-handlers comprises receiving from a user, via the input unit: a request to change the priorities of the task-handlers from the user (col 5, lines 33-67);

information regarding the function key selected to change the priorities of task-handlers (col 4, lines 25-47); and

information to change the priorities of the function key (col 3, lines 43-67).

7. As per claim 3, Nelson teaches wherein the storing of information regarding the changed priorities comprises: receiving information regarding the selected predetermined application type, using the hybrid device (col 3, lines 43-67); and

storing the information regarding the changed priorities in the hybrid device, according to the selected application type (col 3, lines 43-67).

8. As per claim 4, Nelson teaches wherein the receiving of the information regarding the selected predetermined application type comprises: receiving the information regarding whether the changed priorities are applied once, permanently or set by default (col 9, lines 52-67 through col 10, lines 1-25).

9. As per claim 5, Nelson teaches the invention as claimed including a hybrid device having a plurality of task-handlers corresponding to a function key (col 3, lines 43-59; col 5, lines 33-37), comprising:

a display to display information to change priorities of the task-handlers (col 3, lines 43-59; figure 10);

an input unit including the function key, to input the information to change the priorities of the task-handlers (col 5, lines 56-63);

a priority changer to change the priorities of the task-handlers, based on the input information(col 7, lines 13-47); and

a memory to store information regarding the changed priorities of the task-handlers, according to an application type, (col 5, lines 60-67).

wherein the operation of each of the task-handlers of the hybrid device is selectively and individually controlled by the operation of the function key, according to the priorities of the task-handlers (col 7, lines 34-47).

10. As per claim 6, Nelson teaches wherein, in response to a request to change the priorities, the display unit displays a menu to select the function key from a plurality of function keys, a menu to change priorities for the selected function key, displays a priority change result, and a menu to select the application type (col 4, lines 1-47; figure 10).

11. As per claim 7, Nelson teaches wherein the input unit receives the request to change the priorities of the task-handlers, information regarding the selected function key, the changed priorities, and the application type, and provides the request to change the priorities and the information to the priority changer (col 5, lines 56-67).

12. As per claim 8, Nelson teaches wherein the function key comprises one or more of a "PLAY" key, a "RECORD" key, a "STOP" key, a "PAUSE" key, a "FAST FORWARD SCAN" key, and a "REWIND SCAN" key (col 3, lines 51-67; col 12, lines 43-67; figure 6; figure 10 ).

13. As per claim 9, Nelson teaches wherein the priority changer changes the priorities of task-handlers corresponding to the selected function key, based on the request to change the priorities, the information regarding the selected function key, and the changed priorities (col 12, lines 21-42).

14. As per claim 10, Nelson teaches wherein the priority changer implements and changes the priorities of the task-handlers using a linked-list (figure 6; figure 8).

15. As per claim 11, Nelson teaches wherein the memory stores the information regarding the changed priorities according to the information regarding the selected application type (col 5, lines 56-67).

16. As per claim 12, Nelson teaches wherein the memory stores the information regarding the changed priorities according to the information regarding selected application type, the information regarding selected application type is in relation to whether the changed priorities are applied once, permanently, or are set by default (col 9, lines 52-67 through col 10, lines 1-25).

17. As per claim 13, Nelson teaches wherein the input unit further comprises: a priority change request key that a user uses to transmit the information to change priorities for the function key (col 4, lines 48-54; col 12, lines 1-42).

18. As per claim 14, Nelson teaches the invention as claimed including an apparatus to change the priorities of task-handlers of a hybrid device, the apparatus (col 3, lines 43-59; col 5, lines 33-37), comprising:

an input device to input a priorities change request from a user, to the hybrid device (col 5, lines 56-63);

a display to display a function key selection menu comprising function keys selectable by the user, in response to the and to display a priorities menu comprising specific priorities of the task-handlers that correspond to one of the function keys selected from the function key menu (col 4, lines 1-47); and

a priority changer to change the specific priorities based on the selections made from the priorities menu (col 7, lines 13-47),

wherein the operation of each of the task handlers in the hybrid device is selectively and individually controlled by the operation of the selected function key, according to the specific priorities of the task-handlers (col 7, lines 34-47).

19. As per claim 15, Nelson teaches wherein the function key selection menu comprises: a PLAY key, a RECORD key, a STOP key, PAUSE key, a FAST FORWARD SCAN key, and/or a REWIND SCAN key (col 3, lines 51-67; col 12, lines 43-67; figure 6; figure 10 ).



20. As per claim 17, Nelson teaches wherein the displayer displays priorities of the task-handlers, after the priorities changer changes the priority of the task-handlers (col 11, lines 65-67 through col 12, lines 1-12).

21. As per claim 18, Nelson teaches wherein the changed priorities of the task-handlers is applied permanently default (col 9, lines 52-67 through col 10, lines 1-25).

22. As per claim 19, Nelson teaches wherein the changed priorities of the task-handlers is maintained temporarily default (col 9, lines 52-67 through col 10, lines 1-25).

23. As per claim 20, Nelson teaches wherein the changed priorities of the task-handlers is maintained as a default (col 9, lines 52-67 through col 10, lines 1-25).

24. As per claim 21, Nelson teaches the invention as claimed including a method to change priorities of task-handlers corresponding to a function key, in a hybrid device, the method comprising:

receiving a request to change priorities of the task-handlers from a user, using the hybrid device (col 5, lines 33-67); and

changing priorities of the task handlers in the hybrid device, based on the received information (col 7, lines 13-47),.

wherein the operation of each of the task-handlers of the hybrid device is selectively and individually controlled by the operation of the function key, according to the priorities of the task-handlers (col 7, lines 34-47)

25. As per claim 22, Nelson teaches the invention as claimed including a computer readable recording medium having a program enabling a computer to change priorities of task-handlers of a hybrid device, the program comprising:

receiving a request to change priorities of the task-handlers from a user (col 5, lines 33-67); and

changing priorities of the task handlers based on the received information (col 7, lines 13-47),

wherein the operation of each of the task-handlers of the hybrid device is selectively and individually controlled by the operation of the function key, according to the priorities of the task-handlers (col 7, lines 34-47).

***Response to Arguments***

26. Applicant's arguments filed 07/22/2009 have been fully considered but they are not persuasive.

27. In the remarks applicant argues:

(1) Priorities of task handlers in a hybrid device are changed and stored in the hybrid device rather than in the remote control (input unit).

(2) Nelson fails to teach or disclose changing the priorities of the task-handlers such that the operations of the task-handlers can be selectively and individually controlled by the operation of the function key.

28. Examiner respectfully disagree with applicant:

i. As to point (1), applicant supports his argument mentioning that Nelson fails to teach storing the priority changes in the hybrid device. Examiner respectfully disagrees with the applicant. Applicant mentions in his remarks page 9, lines 12 that Nelson teaches storing the changes in a input unit but fails to teach storing the changes in the hybrid device but according to claim 1, a hybrid device includes an input unit therefore storing information in the input unit would be storing information in the hybrid device as it is included in the hybrid device. Examiner fails to understand the difference between input unit claimed by the applicant and the input unit taught by Nelson.

li As to point (2), applicant supports his argument mentioning that Nelson teaches when the function is pressed, all of the commands are executed to control devices that correspond to the commands and fails to teach controlling the task handler selectively and individually. Examiner respectfully disagrees with the applicant. The claimed invention fails to recite any limitation in terms of how the task-handlers are executed (all at once or individually) that are corresponding to a function key. The claimed limitation recites "an order in which the task handlers are individually and selectively controlled" which only describes the order of the execution or control. Accordingly Nelson teaches a

function key corresponding to a sequence of tasks that are executed in an order of the sequence (col 7, lines 13-47; col 12, lines 33-37).

***Conclusion***

29. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

30. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

31. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ABDULLAH AL KAWSAR whose telephone number is (571)270-3169. The examiner can normally be reached on 7:30am to 5:00pm, EST.

32. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng Ai T. An can be reached on 571-272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

33. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Meng-Ai An/  
Supervisory Patent Examiner, Art Unit 2195

/Abdullah-Al Kawsar/  
Examiner, Art Unit 2195